E/2011/43-E/C.19/2011/

United Nations

Permanent Forum on Indigenous Issues

Report on the tenth session (16-27 May 2011)

Economic and Social Council
Official Records, 2011
Supplement No. 23

Please recycle

Economic and Social Council
Official Records, 2011
Supplement No. 23

Permanent Forum on Indigenous Issues

Report on the tenth session (16-27 May 2011)

United Nations • New York, 2011

Note

Symbols of United Nations documents are composed of capital letters combined with figures. Mention of such a symbol indicates a reference to a United Nations document.

ISSN 1728-0060

Contents

Chapter *Pa*

I. Matters calling for action by the Economic and Social Council or brought to its attention . . .

A. Draft decisions recommended by the Permanent Forum for adoption by the Council . . .

I. International expert group meeting on the theme "Combating violence against indigenous women and girls: article 22 of the United Nations Declaration on the Rights of Indigenous Peoples" . . . . .

II. Venue and dates of the eleventh session of the Permanent Forum . . . . .

III. Report of the Permanent Forum on Indigenous Issues on its tenth session and provisional agenda for its eleventh session . . . . .

B. Matters brought to the attention of the Council . . . . .

II. Venue, dates and proceedings of the session . . . . .

III. Adoption of the report of the Permanent Forum on its tenth session . . . . .

IV. Organization of the session . . . . .

A. Opening and duration of the session . . . . .

B. Attendance . . . . .

C. Election of officers . . . . .

D. Agenda . . . . .

E. Documentation . . . . .

Chapter I

Matters calling for action by the Economic and Social Council or brought to its attention

A. Draft decisions recommended by the Permanent Forum for adoption by the Council

1. The Permanent Forum on Indigenous Issues recommends to the Economic and Social Council the adoption of the following draft decisions:

Draft decision I
International expert group meeting on the theme "Combating violence against indigenous women and girls: article 22 of the United Nations Declaration on the Rights of Indigenous Peoples"

The Economic and Social Council decides to authorize a three-day international expert group meeting on the theme "Combating violence against indigenous women and girls: article 22 of the United Nations Declaration on the Rights of Indigenous Peoples" and requests that the results of the meeting be reported to the Permanent Forum at its eleventh session, to the General Assembly at its sixty-seventh session and to the Commission on the Status of Women at its fifty-sixth session in 2012.

Draft decision II
Venue and dates of the eleventh session of the Permanent Forum

The Economic and Social Council decides that the eleventh session of the Permanent Forum on Indigenous Issues shall be held at United Nations Headquarters in New York, from 7 to 18 May 2012.

Draft decision III
Report of the Permanent Forum on Indigenous Issues on its tenth session and provisional agenda for its eleventh session

The Economic and Social Council,

(a) Takes note of the report of the Permanent Forum on Indigenous Issues on its tenth session;

(b) Approves the provisional agenda for the eleventh session of the Permanent Forum as set out below:

1. Election of officers.
2. Adoption of the agenda and organization of work.
3. Discussion on the special theme for the year: "The Doctrine of Discovery: its enduring impact on indigenous peoples and the right to redress for past conquests (articles 28 and 37 of the United Nations Declaration on the Rights of Indigenous Peoples)".
4. Human rights:
   (a) Implementation of the United Nations Declaration on the Rights of Indigenous Peoples;

(b) Dialogue with the Special Rapporteur on the rights of indigenous peoples and the Chair of the Expert Mechanism on the Rights of Indigenous Peoples.

5. Comprehensive dialogue with United Nations agencies and funds.

6. Half-day discussion on the rights of indigenous peoples to food and food sovereignty.

7. Half-day discussion on the World Conference on Indigenous Peoples.

8. Half-day discussion on Central and Eastern Europe, the Russian Federation, Central Asia and Transcaucasia.

9. Future work of the Permanent Forum, including issues of the Economic and Social Council and emerging issues.

10. Draft agenda for the twelfth session of the Permanent Forum.

11. Adoption of the report of the Permanent Forum on its eleventh session.

B. Matters brought to the attention of the Council

2. The Permanent Forum has identified the proposals, objectives, recommendations and areas of possible future action set out below and, through the Council, recommends that States, entities of the United Nations system, intergovernmental organizations, indigenous peoples, the private sector and non-governmental organizations assist in their realization.

3. It is the understanding of the Secretariat that the proposals, objectives, recommendations and areas of possible future action to be carried out by the United Nations, as set out below, will be implemented to the extent that resources from the regular budget and extrabudgetary resources are available.

Recommendations of the Permanent Forum

Follow-up to the recommendations of the Permanent Forum on economic and social development, the environment and free, prior and informed consent

Economic and social development

4. The Permanent Forum on Indigenous Issues has received information on the implementation of 62 of the 131 recommendations made throughout its past nine sessions in the field of economic and social development, which is one of the six areas that the Forum is mandated to address. These recommendations cover a range of issues, including large-scale development projects, resource extraction, communication, traditional livelihoods, data disaggregation and the development of indicators. The Permanent Forum has consistently upheld the right of indigenous peoples to self-determination, as well as their right to determine and develop their own priorities and strategies for development, as enshrined in articles 3 and 32, respectively, of the United Nations Declaration on the Rights of Indigenous Peoples. Indigenous women play an integral role in all aspects of economic and social development, and, in order for indigenous peoples to advance the effective

implementation of the Declaration, violence against indigenous women must be eradicated.

5. The Permanent Forum requests that its secretariat prepare a report on the implementation of the recommendations made, to be submitted to the Forum at its eleventh session, in 2012. The report should analyse the challenges as well as the associated factors that United Nations agencies and funds, Member States and indigenous peoples' organizations have faced.

6. The Permanent Forum congratulates the Food and Agriculture Organization of the United Nations (FAO) on the adoption of its policy on indigenous and tribal peoples and requests that FAO take measures towards the implementation of the policy at all levels, especially at the country level. Such measures include improving the capacity of FAO staff to work effectively with indigenous peoples and their organizations and establishing a mechanism for partnership. Further, the Permanent Forum requests that FAO involve it in the development of voluntary guidelines on the responsible governance of tenure of land, fisheries and forests. In addition, the Forum requests participation in the Committee on World Food Security and membership in the Committee's advisory group.

7. The Permanent Forum congratulates the International Fund for Agricultural Development (IFAD) on the establishment of an indigenous peoples' forum on 18 February 2011. This is consistent with international standards and, in particular, with the United Nations Declaration on the Rights of Indigenous Peoples. It is also an example of good practice to be followed by other United Nations entities. The Forum encourages IFAD to: (a) actively promote the participation of indigenous peoples' organizations in country strategies and programme cycles; (b) improve the design, monitoring and evaluation of IFAD-funded projects by using specific indicators for the well-being of indigenous peoples and by promoting an independent assessment of such projects by indigenous peoples; and (c) improving its advocacy role in disseminating its best practices in terms of development approaches with indigenous peoples at the national, regional and international levels.

8. The Permanent Forum welcomes the report of the technical expert group meeting on indicators, mechanisms and data for assessing the implementation of indigenous peoples' rights, held in Geneva in September 2010 by the International Labour Organization (ILO), the Office of the United Nations High Commissioner for Human Rights (OHCHR) and the secretariat of the Permanent Forum. The report sets out important principles and guidance for further work. The Permanent Forum recommends that the Inter-Agency Support Group on Indigenous Peoples' Issues and, in particular, ILO, OHCHR and the secretariat of the Permanent Forum continue their work to develop a common framework for monitoring the situation and well-being of indigenous peoples and the implementation of the Declaration, including the identification of indigenous-appropriate indicators, possible data sources and linkages to relevant mechanisms. The process should be taken forward in a collaborative manner with other interested institutions, ensuring full consultation and participation of indigenous peoples.

9. The Permanent Forum welcomes the launching of the United Nations Indigenous Peoples' Partnership (UNIPP) and urges Member States and others to provide support for the implementation of joint country programmes in at least 8 to

10 countries over the next five years and to the Regional Initiative on Indigenous Peoples' Rights and Development in Asia and the Pacific through UNIPP.

10. The Permanent Forum notes the progress achieved by the Regional Bureau for Latin America and the Caribbean of the United Nations Development Programme (UNDP) in the implementation of a programme on electoral processes with a focus on indigenous women and youth. However, the Permanent Forum is concerned about the Regional Initiative on Indigenous Peoples' Rights and Development in Asia and the Pacific, a programme that has critically contributed to promoting indigenous peoples' issues and rights in the region. The Permanent Forum urges UNDP to maintain and strengthen this important programme.

11. The Permanent Forum recommends that OHCHR and UNDP continue their work in support of national human rights institutions and focus on capacity development support to promote and protect indigenous peoples' rights.

12. The Permanent Forum notes the progress made in promoting indigenous peoples' rights through the Programme to Promote ILO Convention No. 169 (PRO-169). The Permanent Forum urges ILO to maintain and strengthen this important project/programme.

13. The Permanent Forum recommends: (a) using the model of engaging directly with indigenous peoples that is used by the small grants programme delivery mechanism, developed by UNDP since 1992 for implementation of projects at the local level; and (b) strengthen engagement with indigenous peoples in developing innovative tools and methodologies that are suited to and respectful of their cultures and knowledge.

14. The Permanent Forum recommends that UNDP and other United Nations agencies establish a special programme for indigenous professionals that will serve as an entry point inclusion of these professionals as UNDP staff. This will significantly enrich diversity in human development views and knowledge within the organization.

15. The Permanent Forum recommends that the Inter-Agency Support Group on Indigenous Peoples' Issues compile a database on case studies showing the progress made by Member States and organizations regarding indigenous youth rights in the implementation of the United Nations Declaration on the Rights of Indigenous Peoples.

Environment

16. The environment is one of the six substantive areas that the Permanent Forum is mandated to address, and covers a range of issues, including land rights, land use, natural resources, water, oceans, wetlands, fishing, climate change, forests, desertification, pollution, traditional knowledge and access, and benefit-sharing. Environmental issues are also incorporated into a number of articles of the United Nations Declaration on the Rights of Indigenous Peoples, specifically in relation to lands, territories and resources. Articles 25 to 32 outline the rights of indigenous peoples in relation to maintaining and strengthening their spiritual relationship with lands, territories and resources, including the right to own, develop and control their lands, to conserve and protect the environment and the production capacity of lands, to determine development on their lands and to maintain, control, protect and

develop their cultural heritage and traditional knowledge and knowledge of the properties of fauna and flora.

17. The Permanent Forum endorses the report and recommendations of the International Expert Group Meeting on Indigenous Peoples and Forests (see E/C.19/2011/5) and reiterates the two recommendations (paras. 18 and 20) set out below.

18. States should recognize indigenous peoples' rights to forests and should review and amend laws that are not consistent with the United Nations Declaration on the Rights of Indigenous Peoples and other international standards on indigenous peoples' land and natural resource rights, including over forests. This includes indigenous peoples' customary law on land and resource rights and the right to be fully involved in decision-making processes.

19. Conservation, environmental and other non-governmental organizations ensure that their forest-related programmes and policies use the human rights-based and ecosystem approach to forest conservation. This includes the integration of the implementation of the Declaration in their forest programmes.

20. OHCHR, the secretariat of the Permanent Forum, ILO, the World Bank Group and other relevant United Nations entities, including United Nations country teams, should focus on increasing the understanding of indigenous peoples' underlying material rights to land and the need to give material rights priority over process rights. These agencies should undertake analytical work on how the intensity and exclusivity criteria that are commonly encompassed in domestic property rights systems could be understood in the context of international human rights standards related to indigenous property rights.

21. The Permanent Forum calls upon the United Nations Framework Convention on Climate Change and States parties thereto to develop mechanisms to promote the participation of indigenous peoples in all aspects of the international dialogue on climate change.

22. The Permanent Forum welcomes the adoption by the Conference of the Parties to the Convention on Biological Diversity at its 10th meeting of the Code of Ethical Conduct to Ensure Respect for the Cultural and Intellectual Heritage of Indigenous and Local Communities Relevant to the Conservation and Sustainable Use of Biological Diversity (the Tkarihwaié:ri code of ethical conduct),[1] which arose from a Forum recommendation made at its second session, and invites parties and Governments, international agencies and all those working with indigenous communities to make use of the code for research and access to, use, exchange and management of information concerning traditional knowledge.

23. However, elements of the Tkarihwaié:ri code of ethical conduct are voluntary. The Permanent Forum is concerned that paragraph one of the code is restrictive as it includes the following: "They should not be construed as altering or interpreting the obligations of Parties to the Convention of Biological Diversity or any other international instrument. They should not be interpreted as altering domestic laws, treaties, agreements or other constructive arrangements that may already exist."

[1] UNEP/CBD/COP/DEC/X/42, annex, available from http://www.cbd.int/doc/decisions/cop-10/cop-10-dec-42-en.pdf.

24. The Permanent Forum welcomes the adoption by the Conference of the Parties to the Convention on Biological Diversity of two additional indicators for traditional knowledge: (a) status and trends in land use change and land tenure in the traditional territories of indigenous and local communities, and (b) status and trends in the practice of traditional occupations, to complement the adopted indicator on status and trends in traditional languages. The Forum urges the secretariat of the Convention and agencies working on these issues, including the United Nations Educational, Scientific and Cultural Organization (UNESCO), ILO, FAO, IFAD and the International Land Coalition, to collaborate with a view to fully operationalizing those indicators.

25. In regard to the rights of indigenous peoples, the Permanent Forum reiterates its long-standing position of encouraging the United Nations, its organs and specialized agencies, as well as all States, to adopt a human rights-based approach. At the international, regional and national level, the human rights of indigenous peoples are always relevant if such rights are at risk of being undermined. Human rights are indivisible, interdependent, and interrelated. They must be respected in any context specifically concerning indigenous peoples, from environment to development, to peace and security, and many other issues.

26. Affirmation of the status of indigenous peoples as "peoples" is important in fully respecting and protecting their human rights. Consistent with its 2010 report (E/2010/43-E/C.19/2010/15), the Permanent Forum calls upon the parties to the Convention on Biological Diversity, and especially including the Nagoya Protocol, to adopt the terminology "indigenous peoples and local communities" as an accurate reflection of the distinct identities developed by those entities since the adoption of the Convention almost 20 years ago.

27. The Permanent Forum reiterates to the parties to the Convention on Biological Diversity, and especially to the parties to the Nagoya Protocol, the importance of respecting and protecting indigenous peoples' rights to genetic resources consistent with the United Nations Declaration on the Rights of Indigenous Peoples. Consistent with the objective of "fair and equitable" benefit sharing in the Convention and Protocol, all rights based on customary use must be safeguarded and not only "established" rights. The Committee on the Elimination of Racial Discrimination has concluded that such kinds of distinctions would be discriminatory.[2]

28. The Permanent Forum welcomes the World Intellectual Property Organization facilitating a process, in accordance with the Declaration, to engage with indigenous peoples on matters including intellectual property, genetic resources, traditional knowledge and folklore.

29. The Permanent Forum decides to appoint Kanyinke Sena, Mirna Cunningham and Bertie Xavier, members of the Permanent Forum, to conduct a study on indigenous peoples' rights and safeguards in projects related to reducing emissions from deforestation and forest degradation (REDD+) and to report back to the Permanent Forum at its twelfth session, in 2013.

30. Numerous indigenous representatives have raised region-specific concerns about the adverse impacts of climate change on their communities. The Permanent

[2] See CERD/C/GUY/CO/14, para. 15.

Forum will therefore explore the potential for conducting, by appropriate United Nations entities, assessments, studies and reviews of the economic, social and cultural impacts of climate change on indigenous nations, peoples and communities. For example, the secretariat of the United Nations Convention to Combat Desertification could conduct a study on climate change and desertification in the African region.

31. The Permanent Forum recognizes the right to participate in decision-making and the importance of mechanisms and procedures for the full and effective participation of indigenous peoples in relation to article 18 of the United Nations Declaration on the Rights of Indigenous Peoples. The Forum reiterates that the United Nations Framework Convention on Climate Change, the Stockholm Convention on Persistent Organic Pollutants, the Convention on Biological Diversity, the World Intellectual Property Organization and the International Maritime Organization should facilitate indigenous peoples' participation in their processes.

32. The Permanent Forum welcomes the study on indigenous peoples and corporations that examined existing mechanisms and policies related to corporations and indigenous peoples and identified good practices. The Forum recommends that best practices of the application of the right of free, prior and informed consent regarding corporations and indigenous peoples be documented and shared.

33. The Permanent Forum notes the intention of the International Indigenous Women's Environmental Justice and Reproductive Health Initiative to organize an expert group meeting on the environment and indigenous women's reproductive health and requests that the organizers invite members of the Permanent Forum to participate in the meeting. Further, the Permanent Forum recommends that the United Nations Population Fund (UNFPA) and the World Health Organization participate in the expert group meeting.

Free, prior and informed consent

34. The common understanding of the right to free, prior and informed consent is that consent should be given freely, without coercion, intimidation or manipulation (free); sought sufficiently at all stages, including from inception to final authorization and implementation of activities (prior); based on an understanding of the full range of issues and implications entailed by the activity or decision in question (informed); and given by the legitimate representatives of the indigenous peoples concerned.

35. Free, prior and informed consent has been explicitly affirmed in the United Nations Declaration on the Rights of Indigenous Peoples in relation to the relocation of indigenous peoples from their lands and territories (article 10); redress with respect to the appropriation of their cultural, intellectual, religious and spiritual property (article 11, paragraph 2); obtaining such consent before adopting and implementing legislative and administrative measures that may affect indigenous peoples (article 19); redress for their lands or resources taken without their consent (article 28, paragraph 1); disposal of hazardous materials in their territories (article 29, paragraph 2); and obtaining of such consent prior to the approval of development projects affecting their lands or territories and other resources (article 32, paragraph 2).

36. As a crucial dimension of the right of self-determination, the right of indigenous peoples to free, prior and informed consent is also relevant to a wide range of circumstances in addition to those referred to in the Declaration. Such consent is vital for the full realization of the rights of indigenous peoples and must be interpreted and understood in accordance with contemporary international human rights law, and recognized as a legally binding treaty obligation where States have concluded treaties, agreements and other constructive arrangements with indigenous peoples. In this regard, the Permanent Forum emphatically rejects any attempt to undermine the right of indigenous peoples to free, prior and informed consent. Furthermore, the Forum affirms that the right of indigenous peoples to such consent can never be replaced by or undermined through the notion of "consultation".

37. Given that the right of indigenous peoples to free, prior and informed consent is recognized and affirmed in the United Nations Declaration on the Rights of Indigenous Peoples, questions have arisen concerning its implementation. In the light of such fundamental concerns, the Permanent Forum has decided to prioritize free, prior and informed consent. Therefore, in the context of future work, the Permanent Forum will explore the potential for the development of guidelines on the implementation of free, prior and informed consent. The Permanent Forum will endeavour to do so in collaboration with the Expert Mechanism on the Rights of Indigenous Peoples and the Special Rapporteur on the rights of indigenous peoples, who are specifically mandated to address the human rights of indigenous peoples. This initiative, as well as those referred to immediately below, are fully consistent with articles 38, 41 and 42 of the Declaration.

38. The Permanent Forum also notes the number of interventions by indigenous peoples alarmed at the denial of their right to free, prior and informed consent in relation to extractive industries and other forms of large- and small-scale development. Therefore, the Permanent Forum recommends that States and international financial and aid institutions systematically monitor, evaluate, assess and report on how free, prior and informed consent has or has not been recognized and applied with respect to the lands, territories and resources of the indigenous peoples concerned.

39. Given the importance of the full range of the human rights of indigenous peoples, including traditional knowledge, culturally appropriate procedures to ensure communication, information, and scheduling, the Permanent Forum calls on all United Nations agencies and intergovernmental agencies to implement policies, procedures and mechanisms that ensure the right of indigenous peoples to free, prior and informed consent consistent with their right to self-determination as reflected in common article 1 of the International Covenants on Civil and Political Rights and on Economic, Social and Cultural Rights, which makes reference to permanent sovereignty over natural resources.

40. The Permanent Forum confirms its intention to participate in the 35th session of the World Heritage Committee (Paris, 19 to 29 June 2011). The objective of such participation is to encourage a review of existing procedures with regard to rights-related mechanisms, norms and standards in the preparation and processing of world heritage nominations by States parties.

41. The Permanent Forum welcomes the initiative of UNESCO, the International Union for Conservation of Nature (IUCN), the International Council on Monuments and Sites (ICOMOS) and the International Centre for the Study of the Preservation

and Restoration of Cultural Property (ICCROM) to review current procedures and capacity to ensure free, prior and informed consent, and the protection of indigenous peoples' livelihoods, tangible and intangible heritage. During this review process, it would be advisable to review the inconsistency of approaches to natural world heritage and cultural world heritage. The Permanent Forum makes itself available to assist in the review and revision of UNESCO operational guidelines with regard to nominations and site assessments. The Permanent Forum further recommends that UNESCO invite indigenous peoples' representatives and experts to contribute to deliberations on and recommended changes to procedures and operational guidelines.

42. The Permanent Forum recommends that the UNESCO World Heritage Committee, and the advisory bodies IUCN, ICOMOS and ICCROM, scrutinize current World Heritage nominations to ensure they comply with international norms and standards of free, prior and informed consent.

Human rights: implementation of the United Nations Declaration on the Rights of Indigenous Peoples

43. Since the adoption of the United Nations Declaration on the Rights of Indigenous Peoples in 2007, some Governments have taken measures to incorporate into their national or domestic legislation, recognition of and respect for the human rights of indigenous peoples. However, in most regions of the world, implementation of the Declaration remains a big challenge. The Permanent Forum on Indigenous Issues welcomes the reports of States and United Nations agencies on respective initiatives to implement the Declaration, but draws attention to the serious implementation gaps.

44. Issues of violence and brutality, continuing assimilation policies, marginalization, dispossession of land, forced removal or relocation, denial of land rights, the impacts of large-scale development, abuses by military forces, armed conflict and a host of other abuses, are a reality for indigenous peoples and their communities around the world. Examples of violence and brutality have occurred in every corner of the indigenous world, often perpetrated against indigenous peoples who are defending their rights and their lands, territories and natural resources.

45. The Permanent Forum reaffirms its general comments to article 42 of the Declaration adopted previously by the Forum. The Forum welcomes the report presented by Bartolome Clavero, Lars Anders-Baer, Carsten Smith and Michael Dodson on the matter during its tenth session.

46. The Permanent Forum thanks the Government of Colombia for its support during the Forum mission to Colombia and requests that the Government, the United Nations country team and the United Nations agencies involved in the mission implement the recommendations contained in the mission report (E/C.19/2011/3) through consultation and full collaboration with the indigenous peoples concerned. The Permanent Forum intends to assess the implementation of the recommendations at its eleventh session.

47. The Permanent Forum calls upon States, in conjunction with indigenous peoples, to establish national initiatives, programmes and plans of work to implement the Declaration with clear timelines and priorities. States and indigenous

peoples should report regularly to their national legislative bodies and to the Forum on the progress and shortcomings in implementing the Declaration.

48. Recognizing that there is a general lack of awareness of the distinct status of indigenous peoples and the human rights of indigenous peoples, which may lead to systemic discrimination, the Permanent Forum urges all levels of government to ensure that relevant staff as well as the broader public are aware of the United Nations Declaration on the Rights of Indigenous Peoples, in order to promote and ultimately achieve a framework for justice, reconciliation and respect for the human rights of all. Furthermore, the Permanent Forum requests all States to uphold the names of respected past and present indigenous leaders, and indigenous peoples, and that they not be used in any inappropriate military connections.

49. The Permanent Forum calls upon all member States and United Nations agencies to respond to the annual questionnaire from the secretariat of the Permanent Forum in order to provide information on reliable practices that lead to the full and effective implementation of the Declaration. Further, the Forum recommends that the secretariat of the Permanent Forum include questions that particularly focus on indigenous children and youth.

50. The Permanent Forum welcomes the collaboration with indigenous parliamentarians during the tenth session of the Forum. It encourages the parliamentarians and other elected indigenous representatives from national, regional and local decision-making bodies to establish an international network or organization in order to share common experiences, including those related to the implementation of the Declaration in legislative and other democratic bodies. It further encourages the Inter-Parliamentary Union to install a liaising body with the indigenous parliamentarians to strengthen awareness of the Declaration. The Forum calls upon indigenous parliamentarians to promote the necessary legislative reforms for implementation of the Declaration.

51. The Permanent Forum recommends that the secretariat of the Permanent Forum, the United Nations Children's Fund (UNICEF), the United Nations Institute for Training and Research, UNDP and the United Nations Programme on Youth cooperate closely with the Global Indigenous Youth Caucus to conduct and support regional and international human rights training programmes to build the capacity and advocacy skills of indigenous youth.

Half-day discussion on South and Central America and the Caribbean

52. The Permanent Forum on Indigenous Issues recommends that Member States implement precautionary measures and recommendations provided by the Inter-American Commission on Human Rights, the Special Rapporteur on the rights of indigenous peoples and the Permanent Forum, to prevent irreparable harm to indigenous peoples, their authorities and indigenous organizations.

53. The Permanent Forum recommends that Member States take measures to advance indigenous women's right to intercultural health through its inclusion in legal frameworks and public policies, as well as programmes to guarantee culturally, geographically and financially appropriate health and social services.

54. The Permanent Forum recalls recommendations contained in paragraph 89 of the report on its eighth session (E/2009/43-E/C.19/2009/14) and in paragraph 35 of the report on its ninth session (E/2010/43-E/C.19/2010/15) regarding coca leaf

chewing. Traditional coca leaf chewing is consistent with the right of indigenous peoples to maintain their traditional health and cultural practices, as recognized in articles 11, 24 and 31 of the United Nations Declaration on the Rights of Indigenous Peoples.

55. The Permanent Forum reiterates the recommendation, contained in paragraph 17 of the report on its second session (E/2003/43-E/C.19/2003/22), related to the sale of children, child prostitution and child pornography. The Permanent Forum invites OHCHR, in particular the Special Rapporteur on the sale of children, child prostitution and child pornography, to report on the situation of indigenous children to the Forum at its eleventh session.

56. The Permanent Forum welcomes the 2011 International Year for People of African Descent, mindful of racism and discrimination against Afrodescendants, and appreciates the work of OHCHR in the Americas, as well as the efforts undertaken by the Committee on the Elimination of Racial Discrimination, the Working Group of Experts on People of African Descent and the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance.

57. The Permanent Forum has decided to appoint Saul Vicente Vásquez, a member of the Forum, to conduct a study on extractive industries in Mexico and the situation of indigenous peoples in the territories in which these industries are located.

58. The Permanent Forum supports an initiative to declare an International Year of Quinoa, recognizing the importance of quinoa to indigenous people and that it is a natural food with a high nutritional content.

59. The Permanent Forum notes the initiative of the United Nations country team in Nicaragua to establish a consultative committee comprising members of indigenous peoples, Afrodescendants and country team staff, in order to promote and strengthen the realization of the rights and principles set out in international human rights instruments. The Permanent Forum urges other United Nations country teams to follow this example and establish similar consultative mechanisms.

Comprehensive dialogue with the United Nations Children's Fund

60. The Permanent Forum on Indigenous Issues held a comprehensive dialogue with UNICEF on 23 May 2011. The Permanent Forum welcomed the participation of UNICEF, noted its large delegation and expressed appreciation for its detailed and informative report on activities in support of indigenous peoples (E/C.19/2011/7).

61. The Permanent Forum acknowledges the equity policy of UNICEF and pays particular attention to vulnerable indigenous children and youth in terms of food security, shelter, health and education. UNICEF, in developing its indigenous peoples policy, should consider the standards set out in the United Nations Declaration on the Rights of Indigenous Peoples in relation to indigenous children and youth.

62. The Permanent Forum posed questions to UNICEF addressing a number of issues, including:

(a) The various types of obstacles posed to the Fund's work with indigenous peoples and whether these were similar in the various regions of the world;

(b) How the participation of indigenous organizations, indigenous authorities or communities, and indigenous youth was being ensured in UNICEF projects implemented outside Latin America;

(c) How the Fund's work with minorities differed from that with indigenous peoples in various regions of the world;

(d) How UNICEF projects focused on indigenous children might differ from Fund projects directed at children in general;

(e) Whether UNICEF had a specific budget to fulfil its mandate with regard to indigenous children;

(f) What degree of importance UNICEF attached to guaranteeing access to medicines and treatments for indigenous children living with HIV and AIDS;

(g) How UNICEF addressed the problem of indigenous child soldiers;

(h) What type of policy UNICEF applied to carrying out bilingual and intercultural education in communities with a majority indigenous population;

(i) Whether UNICEF had information regarding child pornography and the illegal trafficking of indigenous children, and how it was addressing those problems;

(j) Whether the Fund's work with indigenous children differed in terms of indigenous boys and girls;

(k) What measures UNICEF was taking to empower and involve indigenous youth in developing its policies for them;

(l) What efforts UNICEF was making to promote and protect the rights of indigenous children in industrialized countries;

(m) In what manner UNICEF was addressing the impact of migration on indigenous children;

(n) What advances UNICEF was making in the development of its organizational framework regarding its work with indigenous children.

63. The Permanent Forum requests that UNICEF operationalize and implement its strategic framework on indigenous and minority children and report to the Forum in 2012 on measures undertaken to that end.

64. The Permanent Forum requests that UNICEF, when completing its strategic policy framework on indigenous peoples, include indigenous youth in the design of the policy. In addition, particular attention is needed to reflect the diversity among indigenous children and to focus on vulnerable groups, such as victims of human trafficking and child pornography, as well as groups facing manifold discrimination based on gender, disability or sexual orientation.

65. In support of their country-level programming, and with a view to a deeper appreciation of indigenous peoples' perceptions of such interventions, UNICEF and UNFPA should undertake a study on the social, cultural, legal and spiritual institutions of indigenous peoples and how these affect the rights of women and children as laid out in local, regional and global frameworks.

66. The Permanent Forum requests that UNICEF prepare a report on the state of the world's children, with a thematic focus on indigenous children. The report

should give special attention to the implementation by Member States of the United Nations Declaration on the Rights of Indigenous Peoples, the Convention on the Rights of the Child and general comment No. 11 (2009) of the Committee on the Rights of the Child on indigenous children and their rights under the Convention. Furthermore, the Forum requests UNICEF to begin to disaggregate data on indigenous children, including from its existing database.

67. The Permanent Forum recommends that UNICEF allocate at least one fellowship to an indigenous young person from each region every year for a term of at least three months, to empower indigenous youth and promote knowledge and experience regarding the United Nations system and the work of the Fund, and including financial support.

68. Bearing in mind the principle of free, prior and informed consent as enshrined in the United Nations Declaration on the Rights of Indigenous Peoples, the Permanent Forum recommends that relevant UNICEF materials be translated into the languages of and made accessible to the indigenous peoples with whom the Fund is working so that they can participate fully in the planning and implementation of projects that directly or indirectly affect them.

69. UNICEF should consider developing projects to benefit indigenous children in developed countries as required, taking into consideration that many indigenous children in such countries, mainly those living in rural areas, face the same problems as indigenous children in developing countries.

70. The Permanent Forum requests that UNICEF coordinate its activities and operations with the United Nations Programme on Youth, the secretariat of the Forum and the Global Indigenous Youth Caucus to ensure the participation of indigenous youth in the upcoming high-level meeting on youth.

71. The Permanent Forum requests that UNICEF recognize and respect the right of free, prior and informed consent in the preparation and implementation of its strategic policy framework on indigenous peoples.

72. The Permanent Forum recommends that UNICEF continue to gather data on the issue of children and migration and information on the effects of migration on children, recognizing in particular the situation of indigenous children, the risks of serious exploitation, such as trafficking in human beings for various purposes, and the restoration of rights to victims and vulnerable children, such as street children, through all country-level programmes.

73. The Permanent Forum requests that UNICEF design, in partnership with other relevant United Nations agencies, a protocol for emergency situations resulting from natural disasters to ensure that, in cases of emergency, there are no violations of the human rights of indigenous peoples, especially indigenous youth, children and women, owing to forced relocation.

74. The Permanent Forum recommends that UNICEF establish a particular budget and strengthen programmes and projects for indigenous children and youth.

75. The Permanent Forum requests that UNICEF and UNESCO support intercultural and bilingual education programmes in conjunction with the indigenous peoples concerned, paying special attention to the right of girls to primary and secondary education.

76. The Permanent Forum commends UNICEF and UNFPA for their work to combat female genital mutilation practices and urges them to continue their efforts with indigenous peoples and their communities.

77. The Permanent Forum decides to appoint Myrna Cunningham and Alvaro Pop to prepare jointly with UNICEF a report on the situation of indigenous children in Latin America and the Caribbean and to present it to the Forum at its eleventh session.

Half-day discussion on the right to water and indigenous peoples

78. The Permanent Forum welcomes the adoption by the General Assembly of its resolution 64/292, in which the Assembly recognized the right to safe and clean drinking water and sanitation as a human right essential for the full enjoyment of life and all human rights. Furthermore, the Permanent Forum applauds the Special Rapporteur on the human right to safe drinking water and sanitation for her work. The Permanent Forum appreciates her affirmation of the important indivisible, interdependent and interrelated nature of indigenous peoples' human rights, especially within the context of their right to water.

79. Indigenous peoples have a profound relationship with their environment. This includes their distinct rights to water. The Permanent Forum urges States to guarantee those rights, including the right to access to safe, clean, accessible and affordable water for personal, domestic and community use. Water should be treated as a social and cultural good, and not primarily as an economic good. The manner in which the right to water is realized must be sustainable for present and future generations. Moreover, indigenous peoples' access to water resources on their ancestral lands must be protected from encroachment and pollution. Indigenous peoples must have the resources to design, deliver and control their access to water.

80. The Permanent Forum recognizes treaty rights, including associated rights to water, as a key element in the comprehensive discussion of indigenous peoples' understanding and interpretation of treaties, agreements and constructive arrangements between indigenous peoples and States.

81. All too often, indigenous peoples face increasing competition for their scarce water reserves from agricultural plantations, as well as from hydroelectric, mining and commercial entities. In many instances, the privatization of water, combined with the failure to provide indigenous peoples with timely and adequate information about how to register their water rights, ignores and abuses indigenous peoples' right to water. In many regions of the world, mining companies have almost depleted water aquifers on which indigenous peoples rely for their drinking water. In other regions, mercury from abandoned gold rush era mines and polychlorinated biphenyls (PCBs) and other contaminants have been dumped into all water sources, polluting the water supply and making seafood, a staple of the traditional diet, unsafe for human consumption.

82. The Permanent Forum urges States to recognize and protect indigenous peoples' cultural right to water and, through legislation and policy, to support the right of indigenous peoples to hunt and gather food resources from waters used for cultural, economic and commercial purposes. This is consistent with article 25 of the United Nations Declaration on the Rights of Indigenous Peoples.

83. The Permanent Forum urges States to include indigenous peoples in decision-making processes in all areas of water management, including commercial use, irrigation and environmental management, and to ensure that such decision-making processes are consistent with the principles of the United Nations Declaration on the Rights of Indigenous Peoples, in particular its article 32, under which the free and informed consent of indigenous peoples is required prior to the approval of any project affecting their lands or territories and other resources.

84. The Permanent Forum urges States to increase the provision of funding to indigenous peoples and communities for water and wastewater systems in order to improve the quality of drinking water and wastewater infrastructure, as well as address water pollution and degradation in indigenous communities.

Future work of the Permanent Forum

85. The Permanent Forum on Indigenous Issues discussed the theme for its eleventh session, "The Doctrine of Discovery: its enduring impact on indigenous peoples and the right to redress for past conquests (articles 28 and 37 of the United Nations Declaration on the Rights of Indigenous Peoples)". Forum members agreed to emphasize the latter part of the theme by including a focus on redefining indigenous and State relationships as an equally important lens through which to understand the Doctrine of Discovery in order to develop a vision of the future for reconciliation, peace and justice.

86. The Permanent Forum notes the information reported to the Arctic Council ministerial meeting held in Nuuk in May 2011 on the impact of cumulative effects of climate change and industrial development in the Arctic, which threaten to cause the loss of grazing lands and the destruction, blockage or delay of critical reindeer migrations between seasonal pastures, and thereby jeopardize the adaptive capacity of indigenous reindeer herders.

87. The Permanent Forum thanks the Centre for Applied Studies on Economic, Social and Cultural Rights for providing information about the initiative entitled "Evaluation on the impact of human rights", which will be shared with the members of the Forum for their consideration in the context of the future work of the Forum.

88. The Permanent Forum learned of the threat posed to the health of indigenous peoples by four non-communicable diseases — diabetes, cardiovascular disease, cancer and chronic lung disease — and their common risk factors. The Permanent Forum welcomes the organization of a high-level meeting of the General Assembly on the prevention and control of non-communicable diseases and requests that representatives of indigenous peoples be invited to contribute to and participate in the meeting, as well as the interactive hearings with civil society scheduled for June 2011.

89. The Permanent Forum thanks the Governments of Canada and the United States of America for hosting its 2011 pre-sessional meeting, and thanks the Governments of the Plurinational State of Bolivia, Spain, Norway, Denmark and Greenland and China for having hosted previous pre-sessional meetings of the Forum. The Permanent Forum recommends that States that have not yet done so consider hosting future pre-sessional meetings. The Permanent Forum also requests that the Secretariat organize pre-sessional meetings for future sessions of the Forum.

90. The Permanent Forum thanks Algeria, Bolivia (Plurinational State of), Canada, Chile, Colombia, Cyprus, Denmark, Estonia, Finland, Madagascar, Mexico and Norway for their contributions to the Trust Fund of the Permanent Forum in 2010 and, given the steady annual increase of applications from indigenous peoples' organizations, encourages other States to contribute to the Fund.

91. The Permanent Forum reaffirms its support for the United Nations Voluntary Fund for Indigenous Populations, which supports indigenous participation to attend its sessions. The Permanent Forum welcomes the contributions made by donors. It notes that contributions to the fund have fallen drastically in recent years and therefore encourages all Governments and others to contribute generously to the Fund.

92. The Permanent Forum welcomes General Assembly resolution 65/198, by which it expanded the mandate of the United Nations Voluntary Fund for Indigenous Populations to facilitate the participation of indigenous representatives in meetings of the Human Rights Council and the human rights treaty bodies. With the large number of human rights violations that indigenous representatives bring to the Permanent Forum, it encourages indigenous representatives to take advantage of this opportunity.

93. With the expansion of the mandate of the Voluntary Fund for Indigenous Populations, the Forum urges OHCHR to assure a full-time staff position to manage the Fund.

94. The Permanent Forum welcomes a third United Nations seminar on indigenous peoples' understanding and interpretation of treaties, agreements and other constructive arrangements.

95. The Permanent Forum on Indigenous Issues welcomes the proposal made by the Expert Mechanism on the Rights of Indigenous Peoples in the report on its third session, which encourages OHCHR to hold an international expert seminar on truth and reconciliation processes.[3] This proposal of the Expert Mechanism recognizes the importance of national truth and reconciliation processes for improving relations between States and indigenous peoples and for facilitating strengthened recognition and implementation of the rights of indigenous peoples.

96. The Permanent Forum recognizes the instrumental role of the Indigenous Peoples' Centre for Documentation, Research and Information in providing essential services to indigenous peoples and encourages United Nations bodies and agencies to facilitate the work of indigenous delegates representing indigenous peoples within the United Nations system by establishing partnerships with the Centre, and to facilitate its financing.

97. The Permanent Forum has decided to appoint Paimaneh Hasteh, a member of the Forum, to complete a study entitled "Engaging indigenous peoples more inclusively in the process of disaster risk reduction by respecting linguistic and cultural practices of indigenous peoples known to be at risk" by 31 December 2012 and to submit it to the Forum at its twelfth session, in 2013.

98. The Permanent Forum decides to appoint Raja Devasish Roy, Bertie Xavier and Simon William M'Viboudoulou, members of the Forum, to conduct a study on

[3] A/HRC/15/36, proposal 8, para. 11.

shifting cultivation and the sociocultural integrity of indigenous peoples, to be submitted to the Forum at its eleventh session, in 2012.

99. The Permanent Forum has decided to appoint Anna Naykanchina, a member of the Forum, to undertake a study on the impacts of land use change and climate change on indigenous reindeer herders' livelihoods and land management, including culturally adjusted criteria for indigenous land uses, to be submitted to the Forum at its eleventh session.

100. The Permanent Forum has decided to appoint Dalee Sambo Dorough, a member of the Forum, to conduct a study, as examples of good practice, of the indigenous participatory mechanisms in the Arctic Council, the Circumpolar Inuit Declaration on Resource Development Principles in Inuit Nunaat, and the Laponia management system, to be submitted to the eleventh session of the Permanent Forum.

101. The Permanent Forum has decided to appoint members of the Forum, Megan Davis, Simon William M'Viboudoulou, Valmaine Toki, Paul Kanyinke Sena, Edward John, Álvaro Esteban Pop Ac and Raja Devasish Roy, to conduct a study on national constitutions and the United Nations Declaration on the Rights of Indigenous Peoples, with a view to assessing the nature and extent of the inclusion of indigenous peoples' human rights in national constitutions, with reference to the rights affirmed in the Declaration, to be submitted to the eleventh session of the Permanent Forum in 2012.

102. The Permanent Forum takes note of the study by Lars-Anders Baer on the status of the implementation of the Chittagong Hill Tracts Accord of 1997 (E/C.19/2011/6). The Permanent Forum also takes note of the concerns raised by the representative of the Government of Bangladesh, as well as other Governments, indigenous peoples' organizations and non-governmental organizations, during the discussions at the tenth session. Further, the Permanent Forum notes the steps taken by the Government of Bangladesh to implement the Accord. The Permanent Forum recommends the following:

(a) That, consistent with the code of conduct for United Nations peacekeeping personnel, the Department of Peacekeeping Operations prevent military personnel and units that are violating human rights from participating in international peacekeeping activities under the auspices of the United Nations, in order to maintain the integrity of the indigenous peoples concerned;

(b) That the Government of Bangladesh declare a timeline and outline modalities of implementation and persons and/or institutions responsible for implementation;

(c) That the Government of Bangladesh undertake a phased withdrawal of temporary military camps from the region and otherwise demilitarize the region, consistent with the safeguards of the peace accord, which will contribute to the ultimate objective of peace and economic and social development, and improve the relationship between indigenous peoples and the Government of Bangladesh;

(d) That the Government of Bangladesh establish a high-level, independent and impartial commission of enquiry into human rights violations perpetrated against indigenous peoples, including sexual violence against women and girls, and

prosecute and punish the perpetrators, as well as provide reparations for the victims concerned.

103. The Permanent Forum recognizes the opportunity created by the consultations on constitutional amendments in Bangladesh and encourages peaceful dialogue between the Government and indigenous peoples aimed at implementing the Chittagong Hill Tracts Accord and addressing the substantial concerns raised in the report and during the tenth session of the Permanent Forum, in accordance with the United Nations Declaration on the Rights of Indigenous Peoples.

104. The Permanent Forum takes note of the study by Bartolomé Clavero Salvador on international criminal law and the judicial defence of indigenous peoples' rights (E/C.19/2011/4).

105. The Permanent Forum acknowledges the Secretary-General's warning that an indigenous language dies every two weeks, expresses its critical concern about this dire situation and, as a part of its review, has appointed Edward John to follow up with UNESCO and UNICEF, other United Nations agencies and programmes and States, to consider developments that will ensure the ongoing survival and revitalization of indigenous languages.

106. The Permanent Forum takes note of the study by Elisa Canqui on forced labour and indigenous peoples (E/C.19/2011/CRP.4) and urges Member States, in collaboration with United Nations agencies and regional intergovernmental organizations, to increase their efforts to combat forced labour and human trafficking and to put in place adequate instruments to protect victims, paying particular attention to indigenous peoples and the restoration of victims' rights.

Indigenous women

107. The Permanent Forum recommends that the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women) include a focus on the situation and rights of indigenous women and girls in the compilation and implementation of its first strategic plan, for the period 2011-2013, particularly with regard to its efforts to increase women's political leadership and participation, promote women's economic empowerment and combat violence against women and girls, and that it draw on the expertise and advice of indigenous experts in the process.

108. The Permanent Forum recognizes the leadership of UN-Women in promoting gender equality and women's empowerment, including its facilitation of the engagement of women's representatives and organizations in the relevant international meetings, and recommends that UN-Women develop a policy on engagement with indigenous women and girls within the framework of the United Nations Declaration on the Rights of Indigenous Peoples and the United Nations Development Group Guidelines on Indigenous Peoples' Issues, and ensure the participation of indigenous women in all consultative processes.

109. The Permanent Forum recommends that these recommendations be transmitted to the members of the Executive Board of UN-Women at their first annual regular session, to be held from 27 to 30 June 2011.

110. The Permanent Forum recommends that in its awarding of grants, the Fund for Gender Equality and the United Nations Trust Fund in Support of Actions to

Eliminate Violence against Women, administered by UN-Women, take into account the need to enhance the human rights and situation of indigenous women and girls.

111. The Permanent Forum recommends that the efforts by Member States, the United Nations system and regional organizations to implement Security Council resolution 1325 (2000) on women and peace and security, in particular to promote the participation of women in conflict prevention, conflict management and post-conflict peacebuilding, take into account the effects of armed conflict on indigenous women, and recommends that in her work, the Special Representative of the Secretary-General on Sexual Violence in Conflict pay particular attention to the situation of indigenous women in armed conflict.

112. The Permanent Forum recommends that indigenous women and their views be duly represented in the discussions and outcomes of upcoming United Nations meetings and conferences, including the high-level meeting on addressing desertification, land degradation and drought in the context of sustainable development and poverty eradication, to be held in September 2011; the fifty-sixth session of the Commission on the Status of Women, themed "The empowerment of rural women and their role in poverty and hunger eradication, development and current challenges", to be held in February and March 2012; and the United Nations Conference on Sustainable Development (Rio+20), to be held in June 2012.

113. The Permanent Forum has decided to appoint members of the Forum, Eva Biaudet, Megan Davis, Helen Kaljuläte and Valmaine Toki, to undertake a study on the extent of violence against indigenous women and girls in terms of article 22 (2) of the Declaration, to be submitted to the Forum at its eleventh session, in 2012.

114. The Permanent Forum encourages United Nations agencies, in particular UN-Women, UNFPA, the United Nations Office on Drugs and Crime, UNDP and UNICEF, to cooperate with and, if necessary, support the creation and consolidation of a global watch mechanism (observatory) led by indigenous women and focusing on collecting, organizing and monitoring information on violence against indigenous women and girls to provide greater visibility of and enhance advocacy for political action on the issue.

115. The Permanent Forum reiterates the recommendation contained in paragraph 12 of the report on its third session (E/2004/43-E/C.19/2004/23) and requests that the International Organization for Migration, OHCHR, UN-Women, UNICEF, the Office of the United Nations High Commissioner for Refugees, the United Nations Office on Drugs and Crime and ILO report periodically to the Permanent Forum on their progress in addressing the problems faced by indigenous migrant women and girls, including the alarming trend of trafficking within and across national and international borders.

116. The Permanent Forum urges Member States to ratify United Nations and regional instruments combating trafficking in human beings, in particular the United Nations Convention against Transnational Organized Crime and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the Convention, and to establish transparent self-monitoring mechanisms to gather information on human trafficking and related phenomena, including the situation of indigenous women and children.

Discussion on the World Conference on Indigenous Peoples

117. The Permanent Forum on Indigenous Issues invited the Office of the President of the General Assembly at its sixty-fifth session to participate in an initial dialogue to hear the views of the representatives of indigenous peoples on the 2014 World Conference on Indigenous Peoples, with the participation of Member States as well as those attending its tenth session.

118. The presidency of the General Assembly stressed that the Permanent Forum has a central role to play and is uniquely qualified to provide input on the modalities for the conference and, at a later stage, on its outcome. In this regard, the Permanent Forum welcomes the opportunity and full responsibility for playing this central role in the preparations for the forthcoming World Conference.

119. The Permanent Forum takes note of the commitment by the presidency of the General Assembly to transmit to all Member States the recommendations and comments resulting from the dialogue held during the tenth session.

120. The Permanent Forum urges the adoption of the modalities for the Conference before the end of 2011, during the sixty-sixth session of the General Assembly, and supports the strong call from indigenous peoples' representatives on the need for urgent action regarding the structuring and initiation of regional preparatory processes for the World Conference.

121. The Permanent Forum affirms that the United Nations Declaration on the Rights of Indigenous Peoples is the primary guide for its collective work and is therefore highly relevant to the forthcoming World Conference. In this regard, the Permanent Forum recalls that in the preamble to the Declaration, the General Assembly solemnly proclaimed its obligation, in accordance with the Charter of the United Nations, to advance indigenous human rights in order to "enhance harmonious and cooperative relations between the State and indigenous peoples, based on principles of justice, democracy, respect for human rights, non-discrimination and good faith".

122. In "a spirit of partnership and mutual respect", the Forum further emphasizes the important standards set out in articles 18 and 19 of the Declaration, which provide the following: "Indigenous peoples have the right to participate in decision-making in matters which would affect their rights, through representatives chosen by themselves in accordance with their own procedures..." and "States shall consult and cooperate in good faith with the indigenous peoples concerned through their own representative institutions in order to obtain their free, prior and informed consent before adopting and implementing legislative or administrative measures that may affect them." Such equal, direct and meaningful participation by indigenous peoples throughout all stages of the World Conference is essential if the international community is to arrive at a constructive result that will genuinely improve the status and conditions of indigenous peoples worldwide.

123. The Permanent Forum is of the view that the most feasible time to have a broad-based interactive dialogue between Member States and indigenous peoples would be during, after or before its forthcoming annual sessions and that all stages of the preparatory process for the World Conference should be conducted in equal partnership between Member States and indigenous peoples.

124. The Permanent Forum welcomes the initiative of the Government of Mexico and the Fund for the Development of the Indigenous Peoples of Latin America and the Caribbean to host the Latin American and Caribbean preparatory meeting on the World Conference in 2012.

125. The Permanent Forum welcomes the invitation extended to indigenous peoples by the Saami Parliament of Norway to attend a preparatory meeting to be held in Alta, Norway, in 2013 to consolidate indigenous peoples' strategies and inputs for the World Conference.

126. The Permanent Forum also welcomes the recommendations made by a wide range of indigenous peoples' caucuses and representatives with respect to the establishment of a global steering committee to conduct the preparatory process with representation of the seven sociocultural regions, indigenous women and youth, as well as the participation of the Expert Mechanism on the Rights of Indigenous Peoples, the Special Rapporteur on the rights of indigenous peoples and the Forum itself.

127. The Permanent Forum acknowledges and supports the strong appeal made by indigenous peoples' representatives to Member States, United Nations agencies, in particular the Voluntary Fund for Indigenous Populations under OHCHR, and others to secure funding for the participation of indigenous peoples in the preparatory process and the Conference to be held in 2014.

128. The Permanent Forum calls upon the presidency of the General Assembly at its sixty-fifth session to share with the membership of the United Nations the main conclusions of the dialogue held on the World Conference with the members of the Forum within the framework of its tenth session.

129. The Permanent Forum recommends to the presidency of the General Assembly at its sixty-fifth session the appointment of a facilitator to conduct open-ended consultations with Member States and representatives of indigenous peoples within the framework of the Permanent Forum, as well as with the Expert Mechanism on the Rights of Indigenous Peoples and the Special Rapporteur on the rights of indigenous peoples, in order to determine the modalities for the meeting, including the participation of indigenous peoples in the Conference.

130. The Permanent Forum recommends that the presidencies of the General Assembly at its sixty-sixth and sixty-seventh sessions convene one-day interactive dialogues with Member States and representatives of indigenous peoples within the framework of the eleventh and twelfth sessions of the Forum.

131. The Permanent Forum calls upon all indigenous peoples worldwide to initiate national and regional preparatory meetings on the World Conference and to present the outcome and conclusion of the meetings as a report to the Forum at its eleventh session, to serve as a valuable input for future discussions by the Forum on the matter.

Discussion on the United Nations Conference on Sustainable Development

132. The Permanent Forum welcomes the United Nations Conference on Sustainable Development as the prime opportunity for the world community to reaffirm the role of all key segments of humanity, including indigenous peoples, and to strengthen their roles in achieving sustainable development, in particular in a

world threatened by climate change. Indigenous peoples, as rights holders and ecosystem managers, have made major contributions to sound environmental governance at all levels: local, subnational, national, regional and global. The challenge lies in mainstreaming these knowledge systems, innovations and practices, which Agenda 21[4] calls "traditional scientific knowledge", for all of humanity, with the consent of indigenous peoples and in a spirit of partnership. The modalities for Rio+20, its preparatory phases and its follow-up mechanisms and processes must respect the rights of indigenous peoples, including those acknowledged in the United Nations Declaration on the Rights of Indigenous Peoples.

133. The Permanent Forum recalls the Kari-Oca Declaration (1992), the Kimberley Declaration and the Indigenous Peoples Plan of Implementation for Sustainable Development (2002) as important policy statements by indigenous peoples on sustainable development which are to be taken into consideration for the outcome document of Rio+20.

134. The Permanent Forum calls upon Member States to ensure equal, direct, meaningful and substantive indigenous participation at Rio+20 by including indigenous peoples' representatives in official delegations to the conference and in the preparatory regional implementation meetings, including those to be held at:

- Economic Commission for Latin America and the Caribbean, 7-9 September 2011, Santiago (Latin America and Caribbean region)
- Economic Commission for Africa and partners, 10-14 October 2011, Addis Ababa (Africa region)
- Economic and Social Commission for Western Asia and partners, 18-20 October 2011, Cairo (Arab region)
- Economic and Social Commission for Asia and the Pacific, 19 and 20 October 2011, Seoul (Asia-Pacific region)
- Economic Commission for Europe, 1 and 2 December 2011, Geneva (European region)

135. The Permanent Forum welcomes the initiative of indigenous organizations to hold a preparatory meeting on Rio+20 in Manaus, Brazil, from 11 to 13 August 2011, and calls on United Nations agencies, especially the Division for Sustainable Development of the Department of Economic and Social Affairs, the United Nations Environment Programme, non-governmental organizations and donors, to support the participation of indigenous peoples, including indigenous women and young leaders, in that process.

136. The Permanent Forum recommends that the Department of Public Information secure and fund indigenous peoples' participation in the 64th Annual United Nations Department of Public Information Non-Governmental Organizations Conference, to be held in Bonn from 3 to 5 September 2011 on the theme "Sustainable societies; responsive citizens" as an important preparatory event for Rio+20.

---

[4] *Report of the United Nations Conference on Environment and Development, Rio de Janeiro, 3-14 June 1992*, vol. I: *Resolutions Adopted by the Conference*, resolution 1, annex II (United Nations publication, Sales No. E.93.I.8 and corrigenda).

Chapter II
Venue, dates and proceedings of the session

137. By its decision 2010/249, the Economic and Social Council decided that the tenth session of the Permanent Forum would be held at United Nations Headquarters from 16 to 27 May 2011.

138. At its 2nd to 4th meetings, on 16 and 17 May 2011, the Permanent Forum considered, under agenda item 3, "Follow-up to the recommendations of the Permanent Forum: (a) Economic and social development; (b) Environment; (c) Free, prior and informed consent". For its consideration of the item, the Forum had before it the documents entitled "Report of the International Expert Group Meeting on Indigenous Peoples and Forests" (E/C.19/2011/5), "Information from States on addressing the recommendations of the Permanent Forum on Indigenous issues" (E/C.19/2011/8), "Report of the international technical expert meeting on the theme 'Keeping track: indicators, mechanisms and data for assessing the implementation of indigenous peoples' rights'" (E/C.19/2011/11), "Study on indigenous peoples and corporations to examine existing mechanisms and policies related to corporations and indigenous peoples and to identify good practices" (E/C.19/2011/12) and "Analysis prepared by the secretariat of the United Nations Permanent Forum on Indigenous Issues: economic and social development, the environment and free, prior and informed consent" (E/C.19/2011/13). At its 15th and 16th meetings, on 27 May 2011, the Forum considered and adopted its recommendations submitted under agenda item 3 (see chapter I, section B).

139. At its 5th to 7th and 13th meetings, on 18, 19 and 25 May, the Forum considered agenda item 4, "Human rights: (a) Implementation of the United Nations Declaration on the Rights of Indigenous Peoples; (b) Dialogue with the Special Rapporteur on the rights of indigenous peoples and other United Nations human rights mechanisms". For its consideration of the item, the Forum had before it the reports entitled "Response to comments made by some Member States on the annex to the report of the Permanent Forum on its eighth session (E/2009/43-E/C.19/2009/14) at the general segment of the substantive session of the Economic and Social Council, in July 2009" (E/C.19/2011/2) and "Situation of indigenous peoples in danger of extinction in Colombia" (E/C.19/2011/3). At its 15th and 16th meetings, on 27 May 2011, the Forum considered and adopted its recommendations submitted under agenda item 4 (see chapter I, section B).

140. At its 8th meeting, on 20 May, the Permanent Forum considered agenda item 5, "Half-day discussion on Central and South America and the Caribbean". At its 15th and 16th meetings, on 27 May, the Forum considered and adopted its recommendations submitted under agenda item 5 (see chapter I, section B).

141. At its 9th and 14th meetings, on 23 and 26 May, the Forum considered agenda item 6, "Comprehensive dialogue with United Nations agencies and funds", during which there was a dialogue with UNICEF. For its consideration of the item, the Forum had before it reports submitted by UNICEF (E/C.19/2011/7) and the United Nations system and other intergovernmental organizations (E/C.19/2011/9), and the report on the annual meeting of the Inter-Agency Support Group on Indigenous Peoples' Issues (E/C.19/2011/10). At its 15th and 16th meetings, on 27 May 2011, the Forum considered and adopted its recommendations submitted under agenda item 6 (see chapter I, section B).

142. At its 11th meeting, on 24 May, the Forum considered agenda item 7, "Half-day discussion on the right to water and indigenous peoples". At its 15th and 16th meetings, on 27 May, the Forum considered and adopted its recommendations submitted under agenda item 7 (see chapter I, section B).

143. At its 10th, 12th and 13th meetings, on 23 and 25 May, the Forum considered agenda item 8, "Future work of the Permanent Forum, including issues of the Economic and Social Council and emerging issues". For its consideration of the item, the Forum had before it reports submitted by the Special Rapporteur on the rights of indigenous peoples entitled "Study on international criminal law and the judicial defence of indigenous peoples' rights" (E/C.19/2011/4) and "Study on the status of implementation of the Chittagong Hill Tracts Accord of 1997" (E/C.19/2011/6). At its 15th and 16th meetings, on 27 May, the Forum considered and adopted a draft decision and its recommendations submitted under agenda item 8 (see chapter I, sections A and B).

144. At its 14th meeting, on 26 May, the Forum considered agenda item 9, "Draft agenda for the eleventh session of the Permanent Forum". At its 15th and 16th meetings, on 27 May, the Forum considered and adopted a draft decision submitted under agenda item 9 (see chapter I, section A).

Chapter III

Adoption of the report of the Permanent Forum on its tenth session

145. At the 15th and 16th meetings, on 27 May, the Rapporteur introduced the draft decisions and recommendations and the draft report of the Permanent Forum on its tenth session.

146. At the 16th meeting, the Secretary read out a statement of the programme budget implications of the draft decisions and recommendations.

147. At its 16th meeting, on 27 May, the Permanent Forum adopted its draft report.

Chapter IV
Organization of the session

A. Opening and duration of the session

148. The Permanent Forum held its tenth session at United Nations Headquarters from 16 to 27 May 2011. It held 16 formal meetings and 4 closed meetings to consider the items on its agenda.

149. At the 1st meeting, on 16 May, the session was opened by the Under-Secretary-General for Economic and Social Affairs. At the opening ceremony, Tododaho Sid Hill, of the Onondaga Nation, delivered a welcoming address. The Secretary-General made a statement.

150. At the same meeting, statements were made by the Under-Secretary-General for Economic and Social Affairs, the Chair of the Permanent Forum, the Senior Policy Adviser for Native American Affairs of the White House Domestic Policy Council of the United States of America, and the Associate Administrator of UNDP.

B. Attendance

151. Members of the Forum and representatives of Governments, intergovernmental organizations and bodies, United Nations entities, and non-governmental and indigenous organizations attended the session. The list of participants is contained in document E/C.19/2011/INF/1.

C. Election of officers

152. At its 1st meeting, on 16 May, the Forum elected the following members of the Bureau by acclamation:

Chair:
Mirna Cunningham

Vice-Chairs:
Dalee Sambo Dorough
Edward John
Eva Biaudet
Paul Kanyinke Sena

Rapporteur:
Paimaneh Hasteh

D. Agenda

153. At its 1st meeting, on 16 May, the Forum adopted the provisional agenda, as orally revised, as contained in document E/C.19/2011/1/Rev.1.

E. Documentation

154. A list of the documents before the Forum at its tenth session is contained in document E/C.19/2011/INF/2.

11-37063 (E) 300611

Please recycle